

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------|---|--------------------------|
| KAREN CAMESI, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | Civil Action No. 09-85J |
| |) | |
| v. |) | Magistrate Judge Bissoon |
| |) | |
| UNIVERSITY OF PITTSBURGH |) | |
| MEDICAL CENTER, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

Defendants have filed a Motion for Summary Judgment regarding 326 of the opt-in Plaintiffs (“opt-ins”). *See* Defs.’ Am. Mot. for Summ. J. (Doc. 408).¹ For the reasons stated in the Order filed today in Taylor v. Pittsburgh Mercy Health System, Inc., Civil Action No. 09-377 (W.D. Pa.),² which is incorporated by reference herein, Defendants’ Amended Motion for Summary Judgment (**Doc. 408**) is **GRANTED IN PART** and **DENIED IN PART**. Summary judgment is denied regarding the 96 opt-ins who have submitted affidavits in opposition to Defendants’ Motion:

¹ Although Defendants purport to seek summary judgment regarding 339 opt-ins, Plaintiffs’ and the Court’s calculations place the number at 326. Defendants’ proposed order (Doc. 408-4) contains not five duplicate names, as indicated in Defendants’ Reply Brief (Doc. 414), but eighteen. At the risk of stating the obvious, movants should know the number of plaintiffs regarding which they seek summary judgment. This problem easily could have been avoided by entering the opt-ins’ names into a computerized spreadsheet and sorting them, as the Court had to do to resolve the discrepancy.

² *See* Doc. 207 in Civil Action No. 09-377.

Ando, Barbara
Badamo, JoAnn Bernice
Barnett, Bernita Gloria
Berry, Cathy
Billick, Darlene
Binder, Leslie
Blasko, Joyce
Bolz, Linda
Bonner, Jazzmin
Boyd, Michele
Buzzell, Kimberly
Calcek, Nadine
Campbell, Joyce
Cole, Lynn M.
Cook, Regina
Cordero, Margaret
Crock, Tamara
DeFrancesco, RuthAnn
Denucci, Brandon
Donaldson, Barbara J.
Doughtery, Rosalie A.
Dyer, Earlene R.
Dyer, Judith A.
Evasovich, Denise
Fair, Susan
Field, Najet K.
Fowler, Janet M.
Gorny, Francis
Hamilton, Kenneth R.
Harr, Sandra
Harris, Jeanne E.
Henry, Lance

Holfelder, Lorraine M.
Hutchinson, Carol
Jackson, Steven J.
Jackson, Tracy
Jones, Tondaliere W.
Kania, Rita M.
Kelly, Mara
Kirkwood, Clea
Kolonay, Barbara A.
Krebs, Luanne Mary
Kunselman, Tawnya
Lanasa, Susan
Lang, Diana J.
Large, Laurie J.
Len, Carolyn L.
Lind, Kathleen
Long, Terra
Mahone, Rosemarie
Malloy, Joyce
Marsico, Mary Lynn
Martin, Charles R.
Marziale, Renee M.
Maxin, Michelle Diana
Mazon, Audrey J.
McGee, Carla
Mead, Maria Lynn
Mermon, Amy
Morris, Shirley
Mostyn, Stacy
Myers, Irma J.
Neiman, Reva L.
Oddis, Kelly

Parsons, Linda A.
Philips, Marie
Pollard, Louise
Relihan, Timothy
Ricketts, Timothy J.
Riley, Diane
Robinson, George
Romaniello, Judith Taylor
Sanders, Marilyn
Saylor, Terri Lea
Schwartz, Carol
Sciubba, Dada S.
Seiling, Darlene
Semian, Thomas J.
Silberman, Linda Joan
Silvagni, Susan
Slifkey, Mellisa M.
Smith, Jo-Ann
Speicher, Renada
Spencer, Galen
Spohn, Marilyn
Springel, Jaime
Stang, Christina
Streiner, Michele A.
Switalski, Elizabeth A.
Trautman, Arleen
Trew, Neil
Trussell, Georgia Ann
Tyler, Tanya M.
Weigand, Patricia J.
Wells, Keir M.
Wilson, Susan E.

Summary judgment is granted regarding the 230 opt-ins who did not file affidavits:

Adamson-Deulin, Victoria
Aiken, Jane
Aker, Patricia L.
Alfred, Sam
Altman, Penny
Amrhein, David B.
Anderson, Kevin H.
Andzelik, Norma B.
Antonucci, Stacey Lynn
Appelt, Chad E.

Artim, Sheila
Baird, Gary
Baluch, Marjorie
Bandalo, John
Barlow, Diane G.
Bartoli, Amy
Baselj, John
Bauer, Marie J.
Bell, Sheila
Bercik, Marcia L

Bertok, Dorothy E.
Beyers, Stephen
Birmingham, Maureen
Black, Jannifer
Borcik, Shelly
Brettschneider, Lynda
Bretz Cresta, Jennifer
Brewton, Marlana
Brink, Rita
Britton, Violet

Brooks, Mona
Brophy, Charlotte
Brown, Alexandria
Brunner, Bonnie
Bubonovich, Brittany
Burns McFadden, Donna
Buszinski, Dawn
Bynoe, Lisa
Campbell, Steven
Carr, Deborah
Cavlovich, Doris J.
Ceberio-Lanese, Mary
Cecere, Camille B.
Chapman, Dreama
Clark, Sueanne
Conover, Noelle C.
Conti, Theresa C.
Conwell, Jennifer R.
Costa, Theresa
Cox, Mary
Damer, Sharon A.
Davenport, Aleica
Dean, Shanda
Deiley, Mary Sue
Delucia, Susan
Dephillips, Laura
Derdock, Antoinette L.
DiFrancesco, Rita
D'Orazio, Linda Lee
Druga, Christine
Eger, Nancy L.
Eisner, Gertrude Ellen
Eleam, Marlon
Emanuelson, Kathleen
Fannie, Nancy
Finnerty-Folan, Maureen
Fiumara, Carla Rose
Flohr, Jareen Margaret
Fox, Patricia
Franciscus, Margaret
Fuga, Lynn
Fuller III, Ralph Wesley
Fussenegger, Diane K.
Garcia, Robin
Gasparik, Cynthia
Gemeinhart, Richard R.

Gladis, Mary Beth
Glenn, John F.
Gonot, Douglas
Gorman, Marlene M.
Gratton, Patricia A.
Gray, Andrea
Greenawalt, Barbara
Gretz, Susan W
Griffin, Elaine
Haff, George B.
Hamrock, Mary F.
Hanna, Mark
Hartle, Tara
Hartz, David
Hastings, Leslie
Healey, Diana
Henze, Heather Jean
Hofius, Cynthia Kay
Homer, Marcia C.
Hopkins, Kimberly Duke
Hubert, Joshua
Hudson, Samantha Lee
Jack, Lynn A.
Jendrasik, Jennifer L.
Johnson, Amber
Johnston, Don
Jones, Tricia Ann
Jones-Harshaw, Annie M.
Kaib, Cynthia
Karabetsos, Kimberly
Karscig, Mary
Kasey, Nancy
Kennedy, Judi A.
Khoujmal, Christine
Kilinski, Bethany
King, Ann Patricia
King, Dolores
King, Mary Colleen
Klonowski, Carolyn
Knights, Veronica Lois
Koziarski, Jeffrey S.
Kubatka, Mia
Kysor, Anita
Layhew, Richard
Leonard, Kathleen A.
Lester, Denise

Lewis, Carrol L.
Lis, Darrell G.
Lista, Lauren
Livingston, Lorraine
Lorson, Christine
Lovelace, William
Lundberg, Mary
Mack, Barbara
Madden, Beverly
Magdic, Rosemary
Maletta, Michaelle
Malinowski, Carleen A.
Manley, Tamara
Marchionna, Jane
Martone, Lucianna
Matthews, Judith
Mayger, Carolyn
Mayher, Debra Stock
Mazza, Kelly
McCalla, Evelyn J.
McCracken, Ashleen
McGee, Alice L
McKinnis, Susan Carole
Metz, Erin
Michalski, Hyacinth P.
Milchick, Mary E.
Mitch-Resignalo, Ann E.
Montgomery, Dana Yvette
Moye, Bertha Lee
Murray, William J.
Myrgo, Candace J.
Nauer, Kevin L.
Nixon, Jill
Noel, Aimee L.
Nutter, Margaret A.
O'Connor, Jennifer F.
O'Donnell, Colleen S.
O'Hare, Diane J.
Olabopo, Bola F
Oross, Lisa A.
Owens, George
Owens, Lesley Susan
Page, Margaret Ann
Peelor, Martha C.
Perry, Carole Ann
Pivrotto, Veronica

Prince, Janet
Rao, Joanne G.
Reimond, Barbara A.
Rittle Jr, Charles H.
Roberts, Kimberly
Robinson, Pamela L.
Rocco, Darla J.
Roolf, Jean A.
Rudzinski, Catherine
Ruffalo, Patricia A.
Rush, Ashley
Russen, Jennifer
Sair, Deborah L.
Salafranca, Jennifer L.
Samuels, Nicole
Scanga, Thomas P.
Schaaf, Donna
Schaaf, Rachel
Schmitt, Erin
Schuster, Jill
Schwer, William

Shuck, Dean
Smith, Ann R.
Smith, Sharon L.
Sofranko, Payge Craven
Spooner, Suzanne M.
Spore, Bridget
Spurbeck, Cynthia
Starr, Allan
Stephenson, Amber L.
Strachan, Tracy Dawn
Suber, Sherry A.
Sukenic, Catherine
Suter, Charlene A.
Swierczewski, Kristin Jean
Tallon, Patrick
Taylor, Patricia
Thomas, Theresa
Thompson, Regina
Travers-Barney, Bonnie
Tucker, Sandra J.
Turner, Andrea Lee

Valenti, Katherine
Vandevort, Suzanne
Vensak, Judith L.
Wachter, Janet Kay
Wagner, Karen Eileen
Walker, Steven
Webb, Tiffany
Weinroth, Kathleen
Wesche, Jacqueline A.
Whelan, Suzanne Marie
Whitaker, Shanda N.
White, MaryAnnWhite,
Tracey Huguley
Wiggins, Britt
Williams, Constance E.
Wisilosky, Lisa
Young, Laura Loretta
Young, Michael R.
Yuhaniak, Susan
Zembrzuski, Melanie

Summary judgment is granted regarding the FLSA and RICO claims asserted by these opt-ins.³ In addition, Plaintiffs' Motion (**Doc. 419**) to strike Defendants' Reply Brief and Affirmations, or to sur-reply, is **DENIED AS MOOT**.

IT IS SO ORDERED.

October 15, 2010

s/Cathy Bissoon
Cathy Bissoon
United States Magistrate Judge

cc (via ECF e-mail notification):

All Counsel of Record

³ Defendants assert, and Plaintiffs do not dispute, that a grant of summary judgment regarding the opt-ins' FLSA claims warrants a grant of summary judgment on their RICO claims as well. *Compare* Defs.' Br. (Doc. 392) at 1 *with* Pls.' Opp'n Br. (Doc. 409) (failing to address Defendants' argument regarding RICO).